

Attorney Docket No.: GI5298A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Moutsatsos *et al.*
SERIAL NO.: 09/148,234 GROUP NO.: 1636
FILING DATE: September 4, 1998 EXAMINER: Sandals, W.
TITLE: GENETICALLY ENGINEERED CELLS WHICH EXPRESS
BONE MORPHOGENETIC PROTEINS

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC, 20231, on this 17th day of October, 1999.

Alison M. Higginbottom
Alison M. Higginbottom

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX DD

Sir:

Submitted herewith are:

1. Information Disclosure Statement (2 pages)
2. PTO Form 1449 (3 pages)
3. Transmittal Form (1 page)
4. Fee Transmittal Form and duplicate (1 page each)
5. Copies of IDS citations (A1-A7, B1-B13, C1-C28)
6. Return receipt postcard

GI 5298A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Moutsatsos *et al.* #24

Serial No. : 09/148,234 Examiner: Sandals, W.

Filed : September 4, 1998 Art Unit: 1636

Title : GENETICALLY ENGINEERED CELLS WHICH EXPRESS BONE
MORPHOGENETIC PROTEINS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT
ACCOMPANYING FORM PTO-1449**

In accordance with the provisions of 37 C.F.R. §§ 1.56 and 1.97, 1.98(d) Applicants herewith submit the publications and/or patents shown on the attached form PTO-1449, for consideration by the Examiner in connection with the examination of the above-identified patent application.

In accordance with the provisions of 37 C.F.R. § 1.97, this statement is being filed (CHECK ONE):

- (1) within three (3) months of the **Filing Date** or before the mailing date of the **First Office Action** on the merits; or
- X (2) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$240.00**, is included herein; or
- (3) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

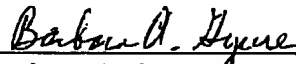
USSN: 09/148,234

Page 2

It is respectfully requested that each of the documents shown on the attached form PTO-1449 be made of record in this application.

Early examination and allowance of the present application are respectfully solicited.

Respectfully submitted,



Barbara A. Gyure
Reg. No. 34,614
Attorney for Applicants
(617) 665-8653

American Home Products Corporation
Patent Law Department, 2B
One Campus Drive
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FAX RECEIVED

NOV 30 2001

GROUP 1600

FACSIMILE COVER SHEET

DATE: November 30, 2001

TOTAL NO. PAGES: 11 including cover page

TO: Examiner W. Sandals

FIRM NAME: U.S. Patent and Trademark Office

FACSIMILE NUMBER: (703) 308-4242

FROM: Donna M. Ferber

RE: USSN: 09/148,234
Our Docket No.47-01

MESSAGE: Transmitted herewith:
Request for Initialed Form PTO-1449 (1 pg)
Return Receipt Postcard date stamped 10/14/99 (1 pg)
Transmittal Form for IDS (1 pg)
Fee Transmittal dated 10/12/99 (1 pg)
Certificate of 1st Class Mailing dated 10/12/99 (1 pg)
Information Disclosure Statement (2 pgs)
Form PTO 1449 (3 pgs)

OFFICIAL

If transmission is unclear or incomplete, please telephone (303) 499-8080 immediately and ask for Brenda, or fax 303-499-8089.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
Ioannis Moutsatosos et al. : Group Art Unit: 1636
Serial No.: 09/148,234 : Examiner: W. Sandals
Filed: September 4, 1998 :
For: GENETICALLY ENGINEERED :
CELLS WHICH EXPRESS BONE :
MORPHOGENETIC PROTEINS :

REQUEST FOR INITIALED FORM PTO-1449

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully request that the Examiner provide an initialed Form PTO-1449 to acknowledge that the references filed on October 12, 1999 have been considered. Copies of the Return Receipt Postcard, Transmittal form, Certificate of Mailing under 37 C.F.R. 1.8, Information Disclosure Statement, and Form PTO-1449 are attached hereto.

It is believed that no fee is due with this submission; however, if this is incorrect, please deduct from Deposit Account No. 07-1969 the appropriate fee for this submission and any extension of time required.

Respectfully submitted,



Donna M. Ferber
Reg. No. 33,878

GREENLEE, WINNER AND SULLIVAN, P.C.
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Attorney Docket No.: 47-01
bmk: November 30, 2001

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office at 793-308-4242.	
30 November 2001 Date	B. Krage B. Krage

PATENT

Serial No. 09/148,234 Doc. No. G15298A Atty/Sec. BAG/anh Date _____Inventor MONTSATOS ET AL.Title GENETICALLY ENGINEERED CELLS WHICH EXPRESS BONE MORPHOGENETIC PROTEINS

The following has been received in the U.S. Patent and Trademark office on the date stamped hereon.

<input type="checkbox"/> pp. Spec., <u> </u> claims(1- <u> </u>), <u> </u> Abstract	<input type="checkbox"/> pp. Preliminary Amendment
<input type="checkbox"/> pp. Sequence ID Listing/Computer Diskette	<input type="checkbox"/> pp. Amendment/Response
<input type="checkbox"/> pp. Statement re Sequence ID Listing	<input type="checkbox"/> pp. Declaration/Exhibits
<input type="checkbox"/> pp. Declaration/Power of Attorney	<input checked="" type="checkbox"/> <u>1</u> pp. Transmittal Letter (duplicate)
<input type="checkbox"/> shts. Informal/Formal Drawings	<input type="checkbox"/> pp. Appeal Brief (triplicate)
<input type="checkbox"/> pp. Assignment Transmittal	<input checked="" type="checkbox"/> <u>1</u> p. Fee Transmittal letter (duplicate)
<input type="checkbox"/> pp. Extension of Time (duplicate)	<input type="checkbox"/> Issue Fee Transmittal (duplicate)
<input checked="" type="checkbox"/> <u>5</u> pp. Information Disclosure Statement	<input type="checkbox"/> Notice of Appeal (triplicate)
with PTO-1449 and <u>48</u> references	<input type="checkbox"/> Maintenance Fee 3.5 7.5 11.5

☒ CERTIFICATE OF FIRST CLASS MAILING (1 PAGE)

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail.

JC711 U.S. PTO



10/14/99

Respectfully,
Genetics Institute, Inc.

Express Mail Label No. _____



TRANSMITTAL FORM	Application Serial Number	09/148,234
	Filing Date	September 4, 1998
	First Named Inventor	Moutsatsos
	Group Art Number	1636
	Examiner Name	Sandals, W.
	Attorney Docket No.	GI 5298A

ENCLOSURE (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Response to Missing Parts / Incomplete Application	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Check Attached	<input type="checkbox"/> Copy of Notice of File Missing Parts of Application (PTO-1553)	<input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>)
<input checked="" type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Petition Routing Slip (PTO/SB/60) and Accompanying Petition	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> After Final	<input type="checkbox"/> To Convert to a Provisional Application	<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Affidavits /declaration(s)	<input type="checkbox"/> Associate Power of Attorney	<input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets <u> </u>]	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input checked="" type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Copies of IDS Citations (A1-A7, B1-B13, C1-C28)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Certified Copy of Priority Documents(s)		

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: American Home Products Corporation One Campus Drive, 2B Parsippany, NJ 07054	Respectfully submitted, Date: <u>Barbara A. Gyure</u> Reg. No.: 34,614 ⁶⁶⁵ Tel. No.: (617) 876 8653 Fax No.: (617) 876-5851 Attorney for Applicants

FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT (\$ 240.00)

Application Number 9/148,234
 Filing Date September 4, 1998
 First Named Inventor Moutsatsos
 Group Art Unit 1636
 Examiner Name Sandals, W.
 Attorney Docket Number GI 5298A

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

X

Deposit Account

07-1060

Number

Deposit Account

Genetics Institute, Inc.

Name

Charge Any Additional Charge the Issue Fee Set in 37

X

Fee Required Under 37 CFR 1.18 and 1.17

CFR 1.18 at the mailing of the Notice of Allowance, 37 CFR 1.311 (b)

2. Payment Enclosed:

Check Money Other

FEE CALCULATION (fees effective 10/01/97)

1. FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101 760 201 380	Utility filing fee		
106 310 206 155	Design filing fee		
107 580 207 290	Plant filing fee		
108 790 208 395	Reissue filing fee		
114 150 214 75	Provisional filing fee		

SUBTOTAL (1) (\$ 0.00)

2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
2 - 20 = 0	X	\$18.00	0.00
Claims 1 - 3 = 0	X	\$78.00	0.00
Multiple Dependent Claim(s), if any		\$260.00	0.00

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103 18 203 9	Claims in excess of 20	
102 78 202 39	Independent claims in excess of 3	
104 270 204 135	Multiple dependent claim	
109 82 209 41	Reissue independent claims over original patent	
110 22 210 11	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0.00)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130 205 65	Surcharge - late filing fee or oath		
127 50 227 25	Surcharge - late provisional filing fee or cover sheet		
139 130 139 130	Non-English specification		
147 2,520 147 2,520	For filing a request for reexamination		
112 920* 112 920*	Requesting publication of SIR prior to Examiner action		
113 1,840* 113 1,840*	Requesting publication of SIR after Examiner action		
115 110 215 55	Extension for response within first month		
116 380 216 190	Extension for response within second month		
117 870 217 435	Extension for response within third month		
118 1,360 218 680	Extension for response within fourth month		
119 300 219 150	Notice of Appeal		
120 300 220 150	Filing a brief in support of an appeal		
121 260 221 130	Request for oral hearing		
138 1,510 138 1,510	Petition to institute a public use proceeding		
140 110 240 55	Petition to revive unavoidably abandoned application		
141 1,320 241 660	Petition to revive unintentionally abandoned application		
142 1,320 242 660	Utility issue fee (or reissue)		
143 450 243 225	Design issue fee		
144 670 244 335	Plant issue fee		
122 130 122 130	Petitions to the Commissioner		
123 50 123 50	Petitions related to provisional applications		
126 240 126 240	Submission of Information Disclosure Stmt	240.00	
581 40 581 40	Recording each patent assignment per property (times number of properties)		
146 790 246 395	Filing a submission after final rejection (37 CFR 1.129(a))		
149 790 249 395	For each additional invention to be examined (37 CFR 1.129 (b))		

Other fee (specify)

Other fee (specify)

SUBTOTAL (3) (\$ 240.00)

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name Barbara A. Gyure

Signature

Barbara A. Gyure

Date

Oct. 12, 1999

Complete (if applicable)

Reg. Number

34,614

Deposit Account User ID

07-1060